

EXHIBIT J

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

WAYNE VAN SCOY,)
)
Plaintiff,)
)
v.) Civil Action No.
) 05-108 (KAJ)
VAN SCOY DIAMOND MINE OF)
DELAWARE, INC., KURT VAN SCOY)
and DONNA VAN SCOY,)
)
Defendants.)

Video deposition of KURT VAN SCOY taken pursuant to notice at the offices of Ashby & Geddes, 17th Floor, 222 Delaware Avenue, Wilmington, Delaware, beginning at 10:00 a.m. on Tuesday, July 26, 2005, before Anne L. Adams, Registered Professional Reporter and Notary Public.

APPEARANCES:

MICHAEL F. PETOCK, ESQ.
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PETOCK & PETOCK
46 The Commons at Valley Forge
1220 Valley Forge Road
Valley Forge, Pennsylvania 19482-0856
for the Plaintiff,

CHARLES N. QUINN, ESQ.
FOX ROTHSCHILD
2000 Market Street, 10th Floor
Philadelphia, Pennsylvania 19103-3291
for the Defendants.

ALSO PRESENT: Wayne Van Scoy
Donna Van Scoy
Lisa Bauer - Video Specialist

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1 to him about this case?

2 A. Briefly a little bit, yeah.

3 Q. What did you guys talk about?

4 A. Off the top -- I don't recall. Just in general.

5 Q. When you say in general, what did you talk about?

6 A. Still in disbelief and wonder where his stocks
7 are and how ridiculous it really is. And that's really
8 just in general.

9 Q. Are you the one that thinks it's ridiculous?

10 A. Everybody does.

11 Q. What do you think is ridiculous?

12 A. The whole situation we're in.

13 Q. Which is what?

14 A. Being sued for using a name that was given to me.

15 Q. Is that the reason why you believe -- do you
16 believe you have a right to use the mark Van Scoy Diamond
17 Mine?

18 A. Absolutely.

19 Q. Are you using the mark Van Scoy Diamond Mine?

20 A. Yes.

21 Q. And the reason you believe that you have the
22 right to use -- why do you believe, specifically, you
23 have the right to use the mark Van Scoy Diamond Mine?

24 A. Because my father gave me the name.



1 Q. How often do you talk to her?

2 A. Oh, God, once a week, if that.

3 Q. What have you discussed with her concerning this
4 case?

5 A. Actually, nothing. We are just more trying to
6 collect funds from everybody for my father's funeral and
7 his personal stuff that was not around.

8 Q. Has Pam ever owned a jewelry store or been in the
9 jewelry business?

10 A. Yeah. Her and her husband own a store in
11 Scranton, Pennsylvania.

12 Q. So she's not just a housewife. She also owns a
13 store?

14 A. Well, her husband runs the store. She stays
15 home.

16 Q. Do you have knowledge as to whether she owns that
17 store?

18 A. I believe she does have part ownership of that
19 store, yes.

20 Q. Who else would be an owner? Do you know?

21 A. Her husband, Rick Sendrick.

22 Q. Are you friendly with Rick?

23 A. I speak to him once in a while.

24 Q. What have you spoken with him -- have you spoken



Kurt Van Scoy

32

1 Q. Did your father put anything in writing when he
2 gave you the name?

3 A. I have things in writing. As a contract, there
4 was no contract. It was just he gave me the name and
5 said, good luck, I love you and I'm proud of you.

6 Q. And the approximate date that you said he gave
7 you the name was in October of 1994; is that correct?

8 A. Approximately that date, yes.

9 Q. Could it have been later?

10 A. No.

11 Q. Could it have been earlier?

12 A. Within a month I guess.

13 Q. Now, when he supposedly gave you the name --

14 A. Gave me the name.

15 Q. -- you knew he was bankrupt, right?

16 A. I knew he was going through a tough time with
17 that. Sure. Yes.

18 Q. One other question I want to ask you about Pam
19 and Rick's store is what mark is that. Do you know?
20 What mark are they using?

21 A. Van Scoy Diamonds. Well, the phone book say Van
22 Scoy Diamond Mine. The store says Van Scoy Diamonds.

23 Q. Have you seen the store recently?

24 A. I have not.



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Kurt Van Scoy

33

1 Q. Do you know which one it is, which mark, whether
2 it's Van Scoy Diamond Mine or Van Scoy Diamonds.

3 A. No. As far as I know, it's Van Scoy Diamonds
4 that's outside the store itself. In the phone book it
5 says Van Scoy Diamond Mine.

6 Q. Where does Ken live?

7 A. He, actually, just got a new place. I'm not sure
8 what the address is of where Ken lives right now.

9 Q. What is his occupation?

10 A. He just, actually, works for my sister around the
11 house. He's just kind of doing some yard work for her.

12 Q. Which sister?

13 A. Pam.

14 Q. Are you friendly with Ken?

15 A. Yes. He's my brother.

16 Q. How often do you talk to him?

17 A. Just about every day.

18 Q. What have you discussed with him concerning the
19 case.

20 A. Pretty much the same as everybody else, just in
21 general, just what's going on, what's next and all that.

22 Q. What kind of relationship did you have with your
23 father?

24 A. Very good actually.



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